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January 11, 2010

Hon. Cheryl L. Pollak, USMJ
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
VIA ECF AND TELEFAX (718) 613-2365

Re: Misiewicz v. D'Onofrio General Contractors Corp., et al.
Docket: 08 cv 4377 (CPS)(CLP)

Dear Judge Pollak:

I represent Plaintiff in the above-captioned matter. I am writing to request a short adjournment of Plaintiff's time to oppose the reasonableness of the purported settlement between Plaintiff and Defendants and to move for reasonable attorneys' fees and costs. The new deadline would be Wednesday, January 13, 2010 and Defendants' deadline to oppose would be January 27, 2010. Plaintiff would be permitted to submit a reply until February 3, 2010. D'Onofrio Defendants' counsel, Gary Mueller, Esq., consents to this request and there is no prejudice to any party.

Plaintiff is making this request because the parties have worked to mutually resolve some of the issues that will be briefed in the motion. Specifically, I submitted a fee demand to Mr. Mueller last week, who advised me that he will speak to his clients and present me with a response today. Accordingly, Plaintiff requests two additional days to submit his motion to challenge the reasonableness of the purported settlement and for attorneys' fees and costs.

Thank you for your attention to the above.

Respectfully submitted,

/s/
Robert Wisniewski (RW-5308)